

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION
7:05-CV-48-F(3)

STEPHEN NORMAN OSTROV and MARA :
ANN OSTROV, :

Plaintiffs, :

V. :

WALTER W. WINNER, II, and CHAD A. :
WINNER, in personam, and the S.S. Winner :
Queen, Official Number 546782, her engines, :
furniture, tackle and apparel, in rem, :

Defendants. :

**DEFENDANTS' OBJECTIONS TO
PLAINTIFFS'
RULE 26(a) 3 DISCLOSURES**

A. The Defendants object to the following witness:

1. Captain Donald W. Davis, Maritime Services, Inc.,
Basis for objection: Qualifications, Hearsay, Designation of Donald Davis was
after the expert designation cut off for the Plaintiffs and Defendants.

B. The Defendants object to the following exhibits:

1. Report of Capt. Donald W. Davis of Maritime, Services, Inc.
Basis for objection: Hearsay, late designation.
2. United States Coast Guard report of investigation
Basis for objection: Hearsay, inadmissible pursuant to public policy and Coast
Guard regulation.

Additional objections will be listed on the pretrial order where appropriate.

This the 17th day of April, 2006.

CROSSLEY McINTOSH PRIOR & COLLIER
/s/ Andrew J. Hanley
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Telephone: (910) 762-9711
Attorney for Defendants

CERTIFICATE OF SERVICE

This is to certify that the undersigned has this date served this **DEFENDANTS' OBJECTIONS TO PLAINTIFFS' RULE 26(a) 3 DISCLOSURES** the above-entitled cause upon all other parties via electronically by the Clerk of Court as follows:

Richard S. Hunter, Jr., Esq.
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This the 17th day of April, 2006.

/s/ Andrew J. Hanley